

"And be it further enacted, That the population as aforesaid shall be ascertained and fixed by the last census taken under the provision of the Constitution of the United States, and such censuses hereafter to be taken agreeably to the provision aforesaid, shall be the standard by which the representatives of the several counties of this State shall be fixed and regulated; *except as relates to the city of Baltimore, which shall in no case be entitled to a greater number of Representatives than is provided by this act.*"

He had therefore voted, when a delegate from the city of Baltimore, for this amendment, and agreed to give six Delegates to the city of Baltimore, on condition that the delegation from Baltimore should never thereafter be increased. He had been willing when, as stated by the gentleman from Baltimore, the population of Baltimore city was but 26,514, and when the population of the State was upwards of 380,000, to give Baltimore a full representation according to population, but it was when its population was but about one 14th or 15th part of the entire population of the State.

At that period, sir, the term 'abolitionism' was unknown in Maryland. The relative populations of the city of Baltimore and the rest of the State was such that nothing injurious was to be apprehended by the counties of the State, in giving to Baltimore representation according to her population; and in doing so, as the case then stood, it was deemed a matter, at that time, by no means important whether, in fixing the representation, it was adjusted upon the aggregate or federal basis. But in the present condition of things, when Baltimore has nearly one-third of the whole population of the State, and when it is obvious that at or about the time of the taking the next census of the United States, Baltimore will contain more than one-half the entire population of the State, new and entirely different principles of representation must be resorted to, in providing for such a case. What was wholly innoxious and just in 1807 would be utterly unreasonable, unjust and inconsistent with every principle of sound policy in 1851; and, therefore, in prescribing different remedies for evils wholly dissimilar, a charge of inconsistency cannot be sustained. But, sir, there was a part of the amendment, in voting for which the charge of inconsistency has been preferred, which was not read, it is believed, by the gentleman from Baltimore, (Mr. Gwinn,) and that is, that the representation of Baltimore in the House of Delegates should never thereafter be increased, no matter what its population might become. When truly interpreted, this vote of his [Mr. D's] in 1807 was entirely consistent with his votes in this Convention, and proves that he felt it his duty to deny to his immediate constituents their asserted abstract right of representation according to population, when its gratification became dangerous to the rights and privileges, security and protection, necessary to the other portions of the State. That such an independent, patriotic course of proceeding in a representation, will never be imputed to the gentleman from Baltimore, it may with perfect safety be predicted.

He [Mr. D.] had served as a Delegate from the

city of Baltimore, and several times from Annié Arundel county, but in the General Assembly and in this Convention he had always regarded himself as the Delegate of the State of Maryland, not of the mere city or county, by whose votes he had been elected; and had ever acted and voted accordingly. Fidelity to the State at large and protection of its general interests he had ever regarded as his first and highest duty. And if for their security and the promotion of the public weal, it were necessary, the interests of the public being in conflict with local interests, the latter must be postponed or controlled for the benefit of the former. Upon this principle he had always acted, though the local interests of his immediate constituents were involved in the sacrifice. But he regretted to say that he thought he had observed a different line of conduct, but too often, pursued by others, who appeared to act as if it were their duty by every imaginable device to obtain advantages to their own constituency, in opposition to the plainest dictates of justice and the best interests of the public. And he sometimes felt apprehensions lest the same selfish, unpatriotic course of conduct, might venture to rear its head even in this august assembly.

In accordance with his promise, and not his opinions of propriety, he would now move the previous question.

Mr. CHAMBERS, of Kent, demanded the yeas and nays, which were ordered, and being taken, resulted—yeas 35, nays 31, as follows:

*Affirmative*—Messrs. Sellman, Howard, Buchanan, Bell, Welch, Chandler, Dickinson, McCullough, Tuck, Grason, Wright, Gaither, Biser, Sappington, Stephenson, McHenry, Nelson, Carter, Thawley, Stewart, of Caroline, Gwinn, Stewart, of Balt. city, Brent, of Balt. city, Sherwood, of Balt. city, Ware, Fiery, Michael Newcomer, Brewer, Anderson, Hollyday, Slicer, Fitzpatrick, Parke, Shower and Brown—35.

*Negative*—Messrs. Chapman, Pres't, Morgan, Blakistone, Hopewell, Ricaud, Chambers, of Kent, Donaldson, Dorsey, Wells, Randall, Bond, Lloyd, John Dennis, Dashiell, Williams, Hodson, Miller, Bowie, Sprigg, McCubbin, Bowling, Dirickson, McMaster, Jacobs, Thomas, Shriver, Davis, Kilgour, Waters and Smith—31.

So the Convention sustained the previous question.

The question was then stated upon the substitute offered by Mr. Thomas, for the 5th section of the report, as amended on the motion of Mr. Bowie.

Mr. McMASTER demanded the yeas and nays, which were ordered, and being taken, resulted—yeas 20, nays 46, as follows:

*Affirmative*—Messrs. Sellman, Howard, Chandler, Lloyd, Dickinson, McCullough, Bowie, Bowling, Thomas, Shriver, Gaither, Biser, Sappington, Stephenson, Nelson, Brent, of Balt. city, Michael Newcomer, Brewer, Slicer and Brown—20.

*Negative*—Messrs. Chapman, President, Morgan, Blakiston, Hopewell, Ricaud, Chambers, of Kent, Donaldson, Dorsey, Wells, Randall, Bond, Jenifer, Buchanan, Bell, Welch, John Dennis, Dashiell, Williams, Hodson, Miller,